

1 SADMIRA RAMIC, ESQ.  
Nevada Bar No.: 15984  
2 CHRISTOPHER M. PETERSON, ESQ.  
Nevada Bar No.: 13932  
3 SOPHIA A. ROMERO, ESQ.  
Nevada Bar No.: 12446  
4 JACOB SMITH, ESQ.  
Nevada Bar No.: 16324  
5 **AMERICAN CIVIL LIBERTIES**  
6 **UNION OF NEVADA**  
4362 W. Cheyenne Ave.  
7 North Las Vegas, Nevada 89032  
Telephone: (702) 366-1226  
8 Facsimile: (702) 830-9205  
Email: ramic@aclunv.org  
9 *Attorneys for Plaintiff*

10  
11 **UNITED STATES DISTRICT COURT**

12 **DISCTRICT COURT OF NEVADA**

13 DAWNYELL FLYNN an individual,

14 Plaintiffs,

15 vs.

16 STATE OF NEVADA ex rel. NEVADA  
DEPARTMENT OF CORRECTIONS, a public  
17 entity of the State of Nevada; DONALD BURSE,  
an individual; CHARLES DANIELS, director, in  
18 his official capacity; and Doe Nevada Department  
of Corrections Employees 1 – 10, in their  
19 individual and official capacity,

20  
21 Defendant(s).

Case No.: 2:22-cv-01753-JAD-NJK

22  
23 **ORDER TO**  
**EXTEND DEADLINE TO FILE A**  
**DISCOVERY PLAN**  
24 **(Fifth Request)**

**STIPULATION**  
**(FIFTH REQUEST)**

Pursuant to Local Rules IA 6-1, 6-2, and 7-1, it is hereby stipulated and agreed by and among Defendants, Nevada Department of Corrections (NDOC) and Charles Daniels, and Plaintiff, Dawnyell Flynn, as follows:

1. Defendants, NDOC and Charles Daniels, removed this action from state court to federal court on October 19, 2022. *See* ECF No. 1.

2. Though served, Defendant Donald Burse has not made an appearance.

3. Defendants NDOC and Charles Daniels filed a Motion to Dismiss on December 30, 2022. *See* ECF No. 7.

4. Plaintiff Flynn filed her response to Defendant's Motion to Dismiss on March 27, 2023.

5. Defendants NDOC and Charles Daniels filed their reply in support of their Motion to Dismiss on April 10, 2023.

6. Throughout the briefing related to Defendants' Motion to Dismiss, Plaintiff's counsel has been in communication with Defendants about potential settlement.

7. Defendants extended proposed settlement terms to Plaintiff on March 22, 2023.

8. On April 13, 2023, parties met to discuss Defendants' proposed settlement terms, and Plaintiff's potential counterproposals.

9. Based on the April 13, 2023 discussion and documentation provided by Defendants as well as consultation with Plaintiff Flynn, Plaintiff's counsel provided a second set of proposed settlement conditions, including specific proposed policy changes on May 31, 2023.

10. Parties met again on June 9, 2023, to discuss Plaintiff's most recent proposal.

11. After evaluating the respective opposition's position, both parties have a good faith belief that a settlement is possible in this matter.

12. Defendants need additional time to review Plaintiff's proposed policy changes.

13. Defendants' counsel will also be in trial at the end of June.

14. As Plaintiff Flynn is incarcerated, Plaintiff's counsel will need more time than is typical to communicate settlement terms with her and finalize any details related to settlement.

15. To provide sufficient time to finalize negotiations, the parties seek to extend the current deadline for parties' discovery plan sixty (60) days to **August 8, 2023**.

16. This is the parties' fifth request for an extension of a deadline in this case. It is the fourth request to extend the discovery plan deadline.

17. The requested extension is not intended to cause any delay or to prejudice any party.

**AMERICAN CIVIL LIBERTIES  
UNION OF NEVADA**

By: /s/ Chris Peterson

CHRISTOPHER PETERSON (13932)

JACOB SMITH (16324)

4362 W. Cheyenne Ave.

North Las Vegas, NV 89032

*Attorney for Plaintiff*

**OFFICE OF THE ATTORNEY  
GENERAL**

By: /s/ Marni Watkins

MARNI RUBIN WATKINS (14001)

555 E. Washington Ave., Ste. 3900

Las Vegas, Nevada 89101

*Attorney for NDOC and Charles Daniel*

**ORDER**

NO FURTHER EXTENSIONS WILL BE GRANTED.

IT IS SO ORDERED.

  
\_\_\_\_\_  
NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE

DATED: June 23, 2023